

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF TEXAS
WACO DIVISION**

MIDAS GREEN TECHNOLOGIES, LLC,

Plaintiff,

v.

Civil Action No. 6:22-CV-00050-ADA

RHODIUM ENTERPRISES, INC., *et al.*,

Defendant.

JOINT NOTICE OF STIPULATION TO MODIFY DEADLINE

Pursuant to the Court’s Amended Standing Order Regarding Joint or Unopposed Request to Change Deadlines, dated March 7, 2022, Plaintiff Midas Green Technologies, LLC (“Midas”) and Defendants Rhodium Enterprises, Inc., Rhodium Technologies LLC, Rhodium 10mw LLC, Rhodium 2.0 LLC, Rhodium 30mw LLC, Rhodium Encore LLC, Rhodium Renewables LLC, Rhodium Renewables Sub LLC, and Rhodium Ready Ventures LLC (“Rhodium Defendants”) (collectively, “Parties”) hereby jointly notify the Court of the Parties’ stipulation to modify the close of expert discovery deadline with respect to multiple expert witness depositions.

Pursuant to the Court’s Amended Scheduling Order (Dkt. 139), the deadline for the close of expert discovery is February 9, 2024. Due to scheduling conflicts, the Parties have agreed to conduct the depositions of (i) Dr. Himanshu Pokharna; (ii) J. Duross O’Bryan; (iii) Dr. James Lee; (iv) Dr. Alfonso Ortega; and (v) Juli Saitz after the close of expert discovery deadline and on or before February 19, 2024.

These extensions will not extend the deadline for any final submission that affects the

Court's ability to hold a hearing, trial, or other Court date, nor will these extensions change the date of any hearing, trial, or other Court date. Finally, these extensions will not require any other modifications to the Court's schedule.

Dated: January 31, 2024

Respectfully submitted,

/s/ Joseph E. Thomas

Michael C. Smith
Texas Bar No. 18650410
michael.smith@solidcounsel.com
SCHEEF & STONE, LLP
113 East Austin Street
Marshall, Texas 75670
Telephone: (214) 706-4200

Joseph E. Thomas (*Pro Hac Vice*)
William J. Kolegraff (*Pro Hac Vice*)
Grant J. Thomas (*Pro Hac Vice*)
18101 Von Karman Avenue, Suite 230
Irvine, California 92612
jthomas@twtlaw.com
bkolegraff@twtlaw.com
gthomas@twtlaw.com

***Attorneys for Plaintiff
Midas Green Technologies***

/s/ Melissa R. Smith

Melissa R. Smith
Texas Bar No. 24001351
GILLAM & SMITH, LLP
303 South Washington Avenue
Marshall, Texas 75670
Telephone: (903) 934-8450
Facsimile: (903) 934-9257
melissa@gillamsmithlaw.com

J. Travis Underwood
Texas Bar No. 24102587
GILLAM & SMITH, LLP
102 North College Avenue, Suite 800

Marshall, Texas 75670
Telephone: (903) 934-8450
Facsimile: (903) 934-9257
travis@gillamsmithlaw.com

Elizabeth R. Brannen
Kenneth J. Halpern (*Pro Hac Vice*)
Peter J. Brody (*Pro Hac Vice*)
Sarah Rahimi (*Pro Hac Vice*)
STRIS & MAHER LLP
777 South Figueroa Street, Suite 3850
Los Angeles, California 90017
Telephone: (213) 995-6800
Facsimile: (213) 216-0299
ebrannen@stris.com
khalpern@stris.com
pbrody@stris.com
srahimi@stris.com

Jhaniel James (*Pro Hac Vice*)
STRIS & MAHER LLP
111 North Calhoun Street, Suite 10
Tallahassee, Florida 21202
Telephone: (202) 800-5750
jjames@stris.com

Attorneys for Rhodium Defendants

CERTIFICATE OF SERVICE

The undersigned hereby certifies that all counsel of record are being served with a true and correct copy of this document via the Court's CM/ECF system on January 31, 2024.

/s/ Melissa R. Smith

Melissa R. Smith